



MINUTES

EXECUTIVE APPROPRIATIONS COMMITTEE

Wednesday, June 17, 2020 | 12:00 p.m. | 445 State Capitol

Members Present:

Sen. Jerry W. Stevenson, Senate Chair
Rep. Bradley G. Last, House Chair
Sen. Don L. Ipson, Senate Vice Chair
Rep. Jefferson Moss, House Vice Chair
President J. Stuart Adams
Sen. Luz Escamilla
Sen. Daniel Hemmert
Sen. Jani Iwamoto
Sen. Derek L. Kitchen
Sen. Karen Mayne
Sen. Ann Millner
Sen. Evan J. Vickers

Rep. Francis D. Gibson
Rep. Brian S. King
Rep. Karen Kwan
Rep. Carol Spackman Moss
Rep. Val L. Peterson
Rep. Angela Romero
Rep. Mike Schultz
Speaker Brad R. Wilson

Staff Present:

Steven M. Allred, Deputy Fiscal Analyst
Jonathan Ball, Fiscal Analyst
Greta G. Rodebush, Executive Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

1 . Call to Order/Approval of Minutes

Chair Last called the meeting to order at 12:12 p.m.

[1-Draft Minutes of May 13, 2020](#)

MOTION: Sen. Stevenson moved to approve the minutes of May 13, 2020. The motion passed with a vote of 20 - 0 - 0.

Yeas-20

Sen. J. Adams
Sen. L. Escamilla
Rep. F. Gibson
Sen. D. Hemmert
Sen. D. Ipson
Sen. J. Iwamoto
Rep. B. King
Sen. D. Kitchen
Rep. K. Kwan
Rep. B. Last
Sen. K. Mayne
Sen. A. Millner
Rep. C. Moss
Rep. J. Moss
Rep. V. Peterson
Rep. A. Romero
Rep. M. Schultz
Sen. J. Stevenson
Sen. E. Vickers
Rep. B. Wilson

Nays-0

Absent-0

2 . Revised Revenue Estimates for FY 2020 and FY 2021

Dr. Andrea Wilko, Chief Economist, Office of the Legislative Fiscal Analyst (LFA), presented the report.

[2-June 2020 Consensus Revenue Estimates](#)

Speaker Wilson inquired about future budget cuts, information used to determine the revised revenue estimates, and forthcoming data that might inform of any significant changes to the revenue estimates. Dr. Wilko and Jonathan Ball responded.

Rep. Schultz asked about the possibility of restoring some of the budget cuts should there be a significant uptick in collections. Chair Last responded.

Chair Last noted that the revenue estimates for 2020 are far better than what we had expected. He asked Dr. Wilko to comment on why that is and what that means for the next few months going forward. Dr. Wilko responded.

Sen. Stevenson commented on Rep. Schultz's question about increased revenues and restoring budget cuts. Sen. Stevenson projected that the Legislature would probably be meeting a few more times prior to the General Session to discuss the budget.

MOTION: Sen. Stevenson moved to adopt the revenue estimates for Fiscal Year 2020 and Fiscal Year 2021 as presented on the sheet entitled, "June 2020 Consensus Revenue (in Thousands)" and dated today, June 17, 2020. The motion passed with a vote of 20 - 0 - 0.

Yeas-20

Nays-0

Absent-0

Sen. J. Adams
Sen. L. Escamilla
Rep. F. Gibson
Sen. D. Hemmert
Sen. D. Ipson
Sen. J. Iwamoto
Rep. B. King
Sen. D. Kitchen
Rep. K. Kwan
Rep. B. Last
Sen. K. Mayne
Sen. A. Millner
Rep. C. Moss
Rep. J. Moss
Rep. V. Peterson
Rep. A. Romero
Rep. M. Schultz
Sen. J. Stevenson
Sen. E. Vickers
Rep. B. Wilson

3 . Special Session Bills

a. S.B. 5001, Budget Balancing and Coronavirus Relief Appropriations Adjustments

Jonathan Ball called attention to a list of budget changes that the EAC Chairs and caucuses are proposing to address the revenue shortfall. He gave an overview of S.B. 5001.

[3a-2020 GS Funding Reversals, 2020 5th Special Session](#)

[3a-Proposed Funding, 2020 Special Session 5](#)

Jonathan Ball explained how Utah's Fiscal Toolkit was used to balance the budget.

Rep. King commented on efforts to restore some highly-leveraged budget cuts, the groundwork that had been laid to mitigate the current economic downturn, and the budget cutting process from his perspective as the House Minority Leader.

MOTION: Rep. King moved to make adjustments to the EAC funding list as shown on the handout entitled, "Reallocations from Majority Party Budget Proposal" and dated today June 17, 2020.

Rep. King explained his motion in greater detail.

[3a-House Democrats Motion for Reallocations](#)

Rep. Gibson asked about the proposed reduction for Higher Education Banjo Elimination. Rep. King responded.

Chair Last and Rep. Carol Spackman Moss asked clarifying questions about Banjo funding. Jonathan Ball responded.

MOTION: Speaker Wilson moved to adopt the budget as proposed by Mr. Ball with one exception, that exception being that we eliminate the Higher Education Banjo funding for \$500,000 ongoing.

Sen. Kitchen asked about the budget for the Attorney General, Line 120 - Local Law Enforcement Crime Fighting Tools. Jonathan Ball confirmed that the funding was not Banjo-related.

Sen. Luz Escamilla inquired about making a motion on how to spend the \$500,000 ongoing that would be available should Speaker Wilson's substitute motion pass. Chair Last and Jonathan Ball responded.

Rep. King spoke to the substitute motion.

Rep. Last commented on Rep. King's remarks about including the Minority Party in the budget cutting process.

Speaker Wilson's substitute motion passed with a vote of 12 - 8 - 0.

Yeas-12

Sen. J. Adams
Rep. F. Gibson
Sen. D. Hemmert
Sen. D. Ipson
Rep. B. Last
Sen. A. Millner
Rep. J. Moss
Rep. V. Peterson
Rep. M. Schultz
Sen. J. Stevenson
Sen. E. Vickers
Rep. B. Wilson

Nays-8

Sen. L. Escamilla
Sen. J. Iwamoto
Rep. B. King
Sen. D. Kitchen
Rep. K. Kwan
Sen. K. Mayne
Rep. C. Moss
Rep. A. Romero

Absent-0

MOTION: Sen. Escamilla moved to reallocate the \$500,000 ongoing to restore the funding for \$20,000 Line 301 - Mobile Air Quality, \$68,000 Line 293 - for Newborn Safe Haven, and \$412,000 Line 301 - Increase frontline DCFS workers.

Sen. Escamilla spoke to the motion.

Sen. Escamilla's motion failed with a vote of 8 - 12 - 0.

Yeas-8

Sen. L. Escamilla
Sen. J. Iwamoto
Rep. B. King
Sen. D. Kitchen
Rep. K. Kwan
Sen. K. Mayne
Rep. C. Moss
Rep. A. Romero

Nays-12

Sen. J. Adams
Rep. F. Gibson
Sen. D. Hemmert
Sen. D. Ipson
Rep. B. Last
Sen. A. Millner
Rep. J. Moss
Rep. V. Peterson
Rep. M. Schultz
Sen. J. Stevenson
Sen. E. Vickers
Rep. B. Wilson

Absent-0

MOTION: Sen. Escamilla moved to restore the \$20,000 for Air Quality Monitoring. The motion failed with a vote of 14 - 6 - 0.

Yeas-14

Sen. J. Adams
Sen. L. Escamilla
Sen. D. Hemmert
Sen. D. Ipson
Sen. J. Iwamoto
Rep. B. King
Sen. D. Kitchen
Rep. K. Kwan
Sen. K. Mayne
Sen. A. Millner
Rep. C. Moss
Rep. A. Romero
Sen. J. Stevenson
Sen. E. Vickers

Nays-6

Rep. F. Gibson
Rep. B. Last
Rep. J. Moss
Rep. V. Peterson
Rep. M. Schultz
Rep. B. Wilson

Absent-0

Sen. Iwamoto expressed her appreciation for the information that has been made available to legislators. She was also talked about the importance of communicating that information to constituents.

b. Education Budget Amendments

Ben Leishman, Finance Manager, LFA, gave an overview of the Education Budget Amendments Bill.

Sen. Mayne inquired about the funding reversal on Line 133 - Rocky Mountain Center for Occupational and Environmental Health (RMCOEH). Ben Leishman and Rep. Last responded.

Chair Last explained that most of the funding reversals remove all of the new money that was appropriated during the 2020 General Session.

Sen. Mayne explained the role that the RMCOEH plays in helping fight and treat the coronavirus in the workplace.

MOTION: Sen. Mayne moved to preserve one-half of the reversal funding amount, \$107,400, for the Rocky Mountain Center for Occupational and Environmental Health.

Sen. Stevenson explained that the funding reversal of \$214,800 for the RMCOEH was an additional amount that was added to the base budget during the 2020 General Session. He recommended waiting until after June 30, 2020 to see what the numbers look like before moving on RMCOEH.

Sen. Mayne withdrew her motion with the expectation that additional conversations will take place as money becomes available.

Rep. Carol Spackman Moss inquired about funding reversal for Line 211 - Accelerated Learning Programs and Line 212 - Beverly Taylor Sorenson Arts. Ben Leishman responded.

Rep. Carol Spackman Moss inquired about proposed funding reduction for Line 358 - Foreign Exchange. Ben Leishman responded.

Rep. King asked how the cuts to the Public Education budget compare with the cuts to other areas of the budget. Jonathan Ball responded.

Rep. King appreciated Jonathan Ball's explanation and said that this was helpful in evaluating the effort that the EAC and the appropriations subcommittees have made in figuring out which budget items should be held harmless.

Rep. Schultz noted that while there were some cuts to programs inside Public Education, there was a net increase of 1.3 percent in spending to Public Education. Jonathan Ball pointed out that the 1.3 percent does not include the \$50 million for growth that was added in the base budget.

Sen. Stevenson commented further on the budget cutting process.

Sen. Escamilla inquired about budget cuts to items under \$10,000. Chair Last responded.

c. Other Special Session Bills Needed to Implement Budget Adjustments

Steven Allred explained the list of funding items that requiring statutory changes.

[3c-Proposed Funding Items Requiring Statutory Changes](#)

Chair Last explained that there were 120 bills that had appropriations attached to them from the 2020 General Session that were reviewed for statutory changes.

Ms. Tani Downing, Executive Director, Department of Administrative Services, discussed a draft resolution that approves a Division of Facilities and Construction Management purchase of two real properties affected by gasoline from a state fuel network site at Salt Lake Community College that leaked into the aquifer for approximately \$650,000.

[3c-Joint Resolution Approving Purchase of Property](#)

MOTION: Sen. Stevenson moved to authorize legislative staff to prepare and number the following legislation for the 2020 Fifth Special Session:

1. (3a) S.B. 5001, Budget Balancing and Coronavirus Relief Appropriations Adjustments;
2. (3b) An Education Budget Amendments Bill (with bill number to be determined later);
3. (3c) Other Special Session Bills Needed to Implement Budget Adjustments (with bill numbers to be determined later).

Staff shall include in these bills the adjustments presented to us today. In consultation with the Co-Chairs of the Executive Appropriations Committee, staff may make any technical changes necessary, including balancing between the General Fund and Education Fund, in order to balance the overall budget.

MOTION: Rep. King moved to divide the motion into three separate motions.

Steven Allred clarified that 3c includes the bill that Tani Downing presented as well as the bill he presented with all the statutory changes that the Legislature would need to make to implement the budget adjustments. Rep. King responded.

Chair Last restated Rep. King's substitute motion to divide Sen. Stevenson's into three separate motions.

Jonathan Ball pointed out that Speaker Wilson had already made a substitute motion on 3a, which passed in both chambers.

Chair Last confirmed that the EAC had adopted the budget on 3a. He pointed out that Speaker Wilson's substitute motion did not include the instructions to staff to create the bills for the session.

Rep. King withdrew his substitute motion with the stipulation that the original motion only includes 3b and 3c.

Sen. Stevenson's agreed to amend his original motion to include only 3b and 3c.

Sen. Stevenson's amended motion passed with a vote of 19 - 0 - 1.

Yeas-19

Nays-0

Absent-1

Sen. L. Escamilla
Rep. F. Gibson
Sen. D. Hemmert
Sen. D. Ipson
Sen. J. Iwamoto
Rep. B. King
Sen. D. Kitchen
Rep. K. Kwan
Rep. B. Last
Sen. K. Mayne
Sen. A. Millner
Rep. C. Moss
Rep. J. Moss
Rep. V. Peterson
Rep. A. Romero
Rep. M. Schultz
Sen. J. Stevenson
Sen. E. Vickers
Rep. B. Wilson

Sen. J. Adams

4 . CARES Act Funding Update

Taylor Kauffman, Federal Funds Manager, Governor's Office of Management and Budget (GOMB), presented the Cares Act Funding update.

[4a-Federal Coronavirus Funds Report to EAC - June 17, 2020](#)

Duncan Evans, Budget Manager, GOMB, discussed the spending plan for the Coronavirus Relief Funds.

Taylor Kauffman gave an update on local government allocations from the Coronavirus Relief Fund.

Sen. Escamilla asked questions about and commented on the allocation of Coronavirus Relief Funds as of 6/12/20 as shown on pages 5-6. Duncan Evans responded.

Rep. Kwan stressed the importance as a State of taking care of the mental health needs of all our first responders.

5 . Requests for Appropriations

Jonathan Ball gave an overview of Coronavirus Relief Funds uses to the State and local governments. He discussed the use of the \$280 million that will be appropriated in S.B. 5001.

[5-Coronavirus Relief Fund Uses](#)

MOTION: Sen. Stevenson moved to approve the funding items from the Coronavirus Relief Fund as presented today in the handout entitled, "Coronavirus Relief Fund" and dated today, June 17, 2020. The motion passed with a vote of 19 - 0 - 1.

Yeas-19Nays-0Absent-1

Sen. L. Escamilla
Rep. F. Gibson
Sen. D. Hemmert
Sen. D. Ipson
Sen. J. Iwamoto
Rep. B. King
Sen. D. Kitchen
Rep. K. Kwan
Rep. B. Last
Sen. K. Mayne
Sen. A. Millner
Rep. C. Moss
Rep. J. Moss
Rep. V. Peterson
Rep. A. Romero
Rep. M. Schultz
Sen. J. Stevenson
Sen. E. Vickers
Rep. B. Wilson

Sen. J. Adams

Rep. Peterson explained a bill that requires the governor to provide notice to the Legislature of certain expenditures of federal funds received during an epidemic or pandemic disease emergency.

[4b-Bill: Emergency Management Act Procurement Process Amendments](#)

MOTION: Sen. Stevenson moved to adopt the bill entitled, "Emergency Management Act Procurement Process Amendments" as an Executive Appropriations Committee bill for the 2020 Fifth Special Session. The motion passed with a vote of 19 - 0 - 1.

Yeas-19Nays-0Absent-1

Sen. L. Escamilla
Rep. F. Gibson
Sen. D. Hemmert
Sen. D. Ipson
Sen. J. Iwamoto
Rep. B. King
Sen. D. Kitchen
Rep. K. Kwan
Rep. B. Last
Sen. K. Mayne
Sen. A. Millner
Rep. C. Moss
Rep. J. Moss
Rep. V. Peterson
Rep. A. Romero
Rep. M. Schultz
Sen. J. Stevenson
Sen. E. Vickers
Rep. B. Wilson

Sen. J. Adams

6 . Other Items/Adjourn

Jonathan Ball clarified that S.B. 5001 does not include pay increases for state employees but does include the cost of health insurance premiums.

Sen. Mayne spoke about Minority Party concerns and trust in the Majority Leadership to reconsider those concerns at a later date.

MOTION: Sen. Stevenson moved to adjourn. The motion passed with a vote of 19 - 0 - 1.

Yeas-19Nays-0Absent-1

Sen. L. Escamilla
Rep. F. Gibson
Sen. D. Hemmert
Sen. D. Ipson
Sen. J. Iwamoto
Rep. B. King
Sen. D. Kitchen
Rep. K. Kwan
Rep. B. Last
Sen. K. Mayne
Sen. A. Millner
Rep. C. Moss
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Rep. V. Peterson
Rep. A. Romero
Rep. M. Schultz
Sen. J. Stevenson
Sen. E. Vickers
Rep. B. Wilson

Sen. J. Adams

Chair Last adjourned the meeting at 2:22 p.m.